

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

JUN - 9 2005
JAMES W. MCCORMACK, CLERK
By: *[Signature]* DEP. CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

VERTAC CHEMICAL CORPORATION,
et al.,

Defendants.

No. 4:80CV00109 GH

FINAL JUDGMENT

Pursuant to the March 31, 2005 Memorandum Opinion and Order, and having fully adjudicated the United States' claims in this matter and a decision having been duly rendered, the Court having further determined that there is no just reason for delay, directs the Clerk of this Court to enter Final Judgment in favor of the Plaintiff United States on its claims relating to the Vertac Superfund Site and related areas against Hercules Incorporated and Uniroyal Chemical, Ltd., now known as Crompton Co./Cie. ("Uniroyal"), jointly and severally, as follows:

Against defendant Hercules Incorporated ("Hercules"), in the amount of \$119,318,504, plus any additional response costs incurred or to be incurred on or after June 1, 1998; and against Uniroyal in the amount of \$110,410,161, plus any additional response costs incurred or to be incurred on or after June 1,

2510

1998.

Post-judgment interest shall be applied to any unpaid balance of the judgment amounts and run from date of entry of the final judgment in accordance with the provisions of 28 U.S.C. § 1961.

Having already found that Uniroyal should be allocated in contribution 2.6% of the total response costs for which it is jointly and severally liable, the Clerk is hereby directed to enter Judgment on the remaining claims as follows:

To the extent that the United States enforces its judgment for the Vertac Site and related areas (\$119,318,504, plus any additional response costs, etc.) against Hercules, Hercules is entitled to contribution from Uniroyal in an amount equal to 2.6% of \$110,410,161 or \$2,870,664, plus any additional response costs and interest;

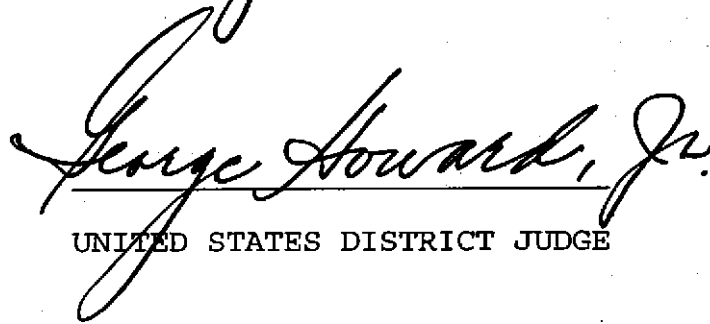
To the extent that the United States enforces its judgment for the Vertac Site and related areas (\$110,410,161, plus any additional response costs, etc.) against Uniroyal, Uniroyal is entitled to contribution from Hercules equal to 97.4% of \$110,410,161 or \$107,539,497, plus any additional response costs and interest;

The Arkansas Department of Pollution and Ecology shall take nothing on its claim against Uniroyal.

As to the claim of Hercules against Uniroyal for costs

Hercules incurred, Hercules shall recover 2.6% of its CERCLA response costs of \$27,376,791 or \$711,796.57 from Uniroyal.

IT IS SO ORDERED this 6 day of June, 2005.


UNITED STATES DISTRICT JUDGE

THIS DOCUMENT ENTERED ON
DOCKET SHEET IN COMPLIANCE
WITH RULE 58 AND/OR 79(a) FRCP
ON 6-10-05 BY see

jh

UNITED STATES DISTRICT COURT
Eastern District of Arkansas
U.S. Court House
600 West Capitol, Suite 402
Little Rock, Arkansas 72201-3325

June 10, 2005

* * MAILING CERTIFICATE OF CLERK * *

Re: 4:80-cv-00109.

True and correct copies of the attached were mailed by the clerk to the following:

Connie L. Grace, Esq.
Ludwig Law Firm, PLC
8501 Pinnacle Valley Road
Little Rock, AR 72223

Samuel E. Ledbetter, Esq.
McMath Woods, P.A.
711 West Third Street
Post Office Box 3457
Little Rock, AR 72203-3457

Richard F. Ricci, Esq.
Lowenstein, Sandler, Kohl, Fisher & Boylan
65 Livingston Avenue
Roseland, NJ 07068-1791

Steven W. Quattlebaum, Esq.
Quattlebaum, Grooms, Tull & Burrow PLLC
111 Center Street
Suite 1900
Little Rock, AR 72201-3325

Susan H. Shumway, Esq.
Shumway & Spencer, LLC
164 Kings Highway North
Westport, CT 06880-2436

Carol A. Doyle, Esq.
Sidley Austin Brown & Wood
Bank One Plaza
10 South Dearborn Street
48th Floor
Chicago, IL 60603

Marian Wysocki Whiteman, Esq.

Sidley Austin Brown & Wood
Bank One Plaza
10 South Dearborn Street
48th Floor
Chicago, IL 60603

V. Robert Denham Jr., Esq.
Powell Goldstein LLP
One Atlantic Center
1201 West Peachtree Street, NW
Suite 1400
Atlanta, GA 30309-3488

Kali Wilson, Esq.
Powell Goldstein LLP
One Atlantic Center
1201 West Peachtree Street, NW
Suite 1400
Atlanta, GA 30309-3488

Amy Hillman, Esq.
Powell Goldstein LLP
One Atlantic Center
1201 West Peachtree Street, NW
Suite 1400
Atlanta, GA 30309-3488

N. M. Norton Jr., Esq.
Wright, Lindsey & Jennings
200 West Capitol Avenue
Suite 2300
Little Rock, AR 72201-3699

Thomas David Gillespie Jr., Esq.
Attorney at Law
4026 Prescott
Suite 1
Dallas, TX 75219

Robert R. Ross, Esq.
Federal Express Corporation
Litigation Section
3620 Hacks Cross Road
Third Floor, Building B
Memphis, TN 38125

James L. Turner, Esq.
U. S. Environmental Protection Agency
EPA Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

Paul Schaeffer, Esq.
U. S. Department of Justice
Environmental Enforcement Section
Post Office Box 7611
Ben Franklin Station
Washington, DC 20044-7611

Sam Blesi, Esq.

U. S. Department of Justice
Environmental Enforcement Section
Post Office Box 7611
Ben Franklin Station
Washington, DC 20044-7611

Kenneth G. Long, Esq.
U. S. Department of Justice
Environmental Enforcement Section
Post Office Box 7611
Ben Franklin Station
Washington, DC 20044-7611

Michael T. Donnellan, Esq.
U. S. Department of Justice
Environmental Enforcement Section
Post Office Box 7611
Ben Franklin Station
Washington, DC 20044-7611

David L. Fishel, Esq.
U. S. Department of Justice
Environmental Enforcement Section
Post Office Box 7611
Ben Franklin Station
Washington, DC 20044-7611

A. Douglas Chavis III, Esq.
U. S. Attorney's Office
Eastern District of Arkansas
Post Office Box 1229
Little Rock, AR 72203-1229

Gary S. Guzy, Esq.
U. S. Department of Justice
Environment & Natural Resources Division
Post Office Box 23986
Washington, DC 20026-3986

John Sheehan, Esq.
U. S. Department of Justice
Environment & Natural Resources Division
Post Office Box 23986
Washington, DC 20026-3986

William H. Sutton, Esq.
Friday, Eldredge & Clark
Regions Center
400 West Capitol Avenue
Suite 2000
Little Rock, AR 72201-3493

Kevin A. Crass, Esq.
Friday, Eldredge & Clark
Regions Center
400 West Capitol Avenue
Suite 2000
Little Rock, AR 72201-3493

Karl S. Bourdeau, Esq.

Beveridge & Diamond, P.C.
1350 "I" Street, N.W.
Suite 700
Washington, DC 20005-3311

Robert Brager, Esq.
Beveridge & Diamond, P.C.
201 North Charles Street
Suite 2210
Baltimore, MD 21201

Charles L. Moulton, Esq.
Arkansas Attorney General's Office
Catlett-Prien Tower Building
323 Center Street
Suite 200
Little Rock, AR 72201-2610

Scott J. Jordan, Esq.
U. S. Department of Justice
Land & Natural Resources Division
Room 7216-Main Bldg.
Environmental Defense Section
10th & Pennsylvania Avenue, N.W.
Washington, DC 20530

Barry M. Hartman, Esq.
U. S. Department of Justice
Land & Natural Resources Division
Environmental Defense Section
10th & Pennsylvania Avenue, N.W.
Washington, DC 20530

Charles R. Nestrud, Esq.
Chisenhall, Nestrud & Julian, P.A.
Regions Center
400 West Capitol Avenue
Suite 2840
Little Rock, AR 72201-3415

Henry Talavera, Esq.
Pension Benefit Guaranty Corporation
Office of the General Counsel
1200 "K" Street, N.W.
Washington, DC 20005-4026

Richard L. Ramsay, Esq.
Eichenbaum, Liles & Heister, P.A.
Union National Plaza
124 West Capitol Avenue
Suite 1400
Little Rock, AR 72201-3736

James K. Logan, Esq.
Foulston Siefkin LLP
40 Corporate Woods
9401 Indian Creek Parkway
Suite 1050
Overland Park, KS 66210-2019

press, post

James W. McCormack, Clerk

6/10/05

Date: _____

Joy Hogue

BY: _____